

REMARKS

The application has been reviewed in light of the Office Action dated February 24, 2005. Claims 1-22 are pending. By this Amendment, claim 10 has been amended to clarify the claimed invention, and claim 11 has been amended by rewriting the claim in independent form including all of the features of the base claim and intervening claim. Accordingly, claims 1-22 are presented for examination, with claims 1, 11, 17, 18, 20 and 21 being in independent form.

Claim 10 was rejected under 35 U.S.C. §112, first paragraph, as purportedly failing to comply with the enablement requirement.

By this Amendment, claim 10 has been amended to clarify the claimed invention.

Support for the claim amendment can be found in the application at, for example, page 30, lines 8-11.

Accordingly, withdrawal of the rejection under 35 U.S.C. §112 is requested.

Claims 1-4, 14, 15 and 17-22 were rejected under 35 U.S.C. §102(e) as purportedly anticipated by U.S. Patent No. 6,058,169 to Bramnick et al. Claims 5, 12, 13 and 16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Bramnick in view of U.S. Patent No. 6,625,646 to Kamanaka et al. Claims 6-10 rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Bramnick in view of allegedly well-known art.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 17, 18, 20 and 21 are patentable over the cited art, for at least the following reasons.

This application relates to a facsimile device that includes two (or more) modes or transmission. In one mode, an electronic-mail control unit transmits image information in an electronic-mail format to a destination through a computer network. In another mode, a real-time

network control unit transmits the image information to the destination while the facsimile device and the destination are connected on line through the computer network. A destination table is provided to which destination address information and transmission method information are registered respectively for each destination and each destination address. The destination address information is used for transmitting the image information through the computer network. The transmission method information indicates one of the electronic-mail control unit and the real-time network control unit. The facsimile device transmits the image information to the destination address by use of the electronic-mail control unit or the real-time network control unit indicated by the transmission method if the destination address is specified as the destination. Thus, facsimile image data is transmitted in an e-mail format or in a real-time manner via the Internet. These features are included in independent claim 1.

Bramnick, as understood by Applicant, is directed to a facsimile handling service performed by a carrier in a PSTN (public switched telephone network) on calls originating from sending equipment subscribed to the service. The facsimile handling service shown in Fig. 1 of Bramnick merely discloses a facsimile apparatus (that is, the facsimile handling service) connected to the Internet and to the PSTN. The facsimile handling service intercepts and records locally each fax call from equipment subscribed to the service, and provides the appearance to the sending equipment of an instantly formed connection to the destination. After the sending equipment is offline, the service manages transmission of the recorded fax call through one of several possible routes to the final destination. For example, the recorded fax call may be effected by connecting internally via the PSTN through standard ringing and response procedures. Alternatively, the recorded fax call is converted to an appropriate form and transmitted via an external data network.

Applicant does not find teaching or suggestion in Bramnick, however, of facilities for transmitting facsimile image data in an e-mail format or in a real-time manner via the Internet, as provided by the claimed invention of claim 1.

It is contended in the Office Action that Bramnick discloses an electronic-mail control unit as recited in claim 1. Applicant disagrees.

Bramnick, column 4, lines 43-47, merely discloses operation of an exchanger on a reception side (which Bramnick refers to as "destination nodes"). That is, received image data can be transmitted to a modem and computer via an external network, instead of to a facsimile equipment via an analog connection. Bramnick discloses in connection with Figs. 8a and 8b that "As shown at 100, this process begins at a near end server" (Bramnick, col. 11, lines 50-51). It is clear that Bramnick merely discloses operation carried out in the exchanger on the reception side.

Bramnick is clearly different from the claimed invention of claim 1 in which, as mentioned above, facsimile image data is transmitted either in an e-mail format or in a real-time manner via the Internet.

Kamanaka, as understood by Applicant, is directed to a server-based communication system, wherein the server collects performance data of a first communication device, and makes the collected data available to another communication device such that the other communication device can conform a format of data to be sent to the first communication device, according to the performance data of the first communication device.

Applicant does not find disclosure or suggestion in the cited art, however, of a facsimile device for transmitting facsimile image data in an e-mail format or in a real-time manner via the Internet, wherein an electronic-mail control unit transmits image information in an electronic-mail format to a destination through a computer network, a real-time network control unit

transmits the image information to the destination while the facsimile device and the destination are connected on line through the computer network, a destination table is provided to which destination address information and transmission method information are registered respectively for each destination and each destination address, the destination address information is used for transmitting the image information through the computer network, the transmission method information indicates one of the electronic-mail control unit and the real-time network control unit, and the facsimile device transmits the image information to the destination address by use of the electronic-mail control unit or the real-time network control unit indicated by the transmission method if the destination address is specified as the destination, as provided by independent claim 1.

Independent claims 17, 18, 20 and 21 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 17, 18, 20 and 21, and the claims depending therefrom, are patentable over the cited art.

Claim 11 was objected to as being dependent upon a rejected base claim, but according to the Office Action would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

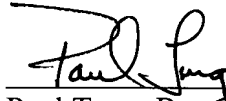
By this Amendment, claim 11 has been amended by rewriting the claim in independent form including all of the limitations of the base claim and any intervening claims.

In view of the amendments to the claims and remarks hereinabove, Applicant maintains that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Teng", is written over a horizontal line.

Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400